

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

November 17, 2005

BOZICEVIC, FIELD & FRANCIS LLP 1900 UNIVERSITY AVENUE SUITE 200 EAST PALO ALTO, CA 94303 US

Dear Sir/Madam,

Your refund request for 10506959 in the amount of \$695.00 has been denied .

Small entity status fee not refundable. The time has expired for the refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for the refund of excess amount are filed within three months of timely payment of the full fee (37 CFR 1.28).

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VIA Facsimile 571-273-7300 2 PAGES	
(Courtesy Copy to: Refund Division: 571-273-6500)	

REQUEST FOR REFUND UNDER 37 CFR § 1.28(a)	Attorney Docket	AERX-115		
	First Named Inventor	ANDERSON, GREGOR JOHN		
Address to: BOX Refund Division Assistant Commissioner for Patents Washington, D.C. 20231	Application Number	10/506,959		
	Filing Date	September 14, 2005		
	Group Art Unit	To Be Assigned		
	Confirmation No.	To Be Assigned		
	Examiner Name	To Be Assigned		
	Title: "NOVEL DEVICE"			

Sir:

This is a request for a refund under 37 CFR § 1.28(a) for one half of the large entity filing fee of \$1390.00 which was charged to our Deposit Account No. 50-0815, as shown on our statement dated September 30, 2004 for the above-identified application. A copy of the monthly statement in which the charge appears is included with this request.

On September 7, 2004, we submitted a 371 National Phase Patent Application Transmittal erroneously indicating the above referenced patent application as a Large Entity. Upon receipt of the formal documents for filing the Response to the Missing Requirements, our client informed us that the above-reference case was entitled to Small Entity status. The undersigned hereby asserts that Applicants are entitled to Small Entity Status as defined under 37 CFR 1.27. This request for refund is being submitted within three months of the date we were informed of the error in entity status.

Please deposit the refund in the amount of \$695.00 into Deposit Account No. 50-0815.

Respectfully submitted, BOZICEVIC, FIELD & FRANCIS LLP

Date

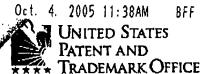
Karl Bozicevic

Registration No. 28,807

BOZICEVIC, FIELD & FRANCIS LLP 1900 University Avenue, Suite 200

East Palo Alto, CA 94303 Telephone: (650) 327-3400 Facsimile: (650) 327-3231

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## MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

BOZICEVIC, FIELD & FRANCIS, LLP ACCOUNTING 200 MIDDLEFIELD ROAD SUITE 200 MERIO PARK CA 94025 Under Sacretary of Commerce for Intellectual Property and Director of the United States Patent and Tradamork Office Washington, DC 20231 www.usptc.gov

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PLEASE SEND REMITTANCES TO: U. S. Patent and Trademark Office P.O. Box 70541 Chicago, IL 60673

O DAY YA.	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	CODE	GHARGES/ CREDITS	BALANCE
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9 10 04	140	10933025	UCAL-230 CON	8021	40.00	263 3.00
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9 10 04	142	107019	AERX-058CINS	1202	468.00	22770.00
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